App F IX 4

Previous References

1954-55
(C M)

File No 57-54-

Serial Nos 1, 2, 3, 4, 9, 10

Later References
M 97-54-9, 10, 14, 15
Ag 8 Cr 57

GENERAL AND REVENUE SECRETARIAT

Serial Nos SIX

P-32
E

Part B for October 1954

SUBJECT

Recovery of amounts due from the Contractor, Messrs Ebrahim Rahmathulla and Co, for the works done in Davanagere City Municipality

WD 0148—GPB—25 000—1-9 19 2

The Municipal Commissioner
Davanagere City Municipality
L 8264/dated 8.10.54

Replies

Ramakrishnaiah
T.I 30/11/54

Serial No

Petn dt 30/4/54 from Sri Ebrahim Rahamtulla & Co addressed to the Minister for PH and LSG regarding the settlement of the underground drainage works account with Davangere City Municipality

Minute of the Minister for PH and LSG
"LSG Secy, Mr Commr Davangere for report within a week"

sd/- TC
5/5/-

Letter no M.PR 17/53-54 dt 15/4/54 from the M.C Davangere forwarding a detailed report re recovery of a sum of Rs 10,423-13-0 from M/s Ebrahim Rahimatulla & Co by the M.C Dgre in connection with the Underground Drainage Works

2) Messrs. Ibrahim Rahimatulla & Co., Davangere, presented a petition to Government on 9-2-54, stating that he had done several works in Davangere City Municipality and that payments have not been made to him in respect o most of the works on the ground that there were no written orders by any competent authority. He further states that the Commissioner has refused to check-measur the works in the absence of written work orders He ha enclosed several statements showing the names of works done by him, the amount which is due to him in respect

Note—Contn Sheet

Recovery of amounts due from the Contractor Ebrahim Rahmathullah & Co for the works done under Underground Drainage Works

File No (2) of 195 ML498/948

Mysore Government Secretariat

Serial No

of those works The contractor further states that the Local Authorities had orally told him to do the works and therefore he undertook the construction of several works including the underground drainage work that was sanctioned by the Municipal Council. The petition was forwarded to the Commissioner for enquiry and report.

3) The Commissioner states in his letter dated 15-4-54 that in respect of 5 works only, pertaining to underground drainage work, there are no references either in the measurements book or other official records to show that the works were entrusted to him and that it was not possible to take cognisance of the same nor was it admissible to pay any amount to such unauthorised works The Commissioner states that he could not therefore make any payments in respect of these 5 works, bearing S No 4,6,7,30 and 31 in the statement (page 7)

4) One important point to be noted is that this contractor has been advanced a sum of Rs 47,000/- by the then Commissioner. Never in my life, I had seen such a heavy amount being advanced to contractors However this has to be borne in mind while examining the claims further

5) The Commissioner further states that there is no difference of opinion between the Municipality and the contractor in respect of items No 1 to 3, 5,9,10,12 to 24, 26 and 27. It obviously means that the contractor

WD 04861—GPB—60 000—22-1 54

Serial No

had a real claim in respect of these works and that the money has not been paid. It cannot be understood why the money has not been settled in respect of these 21 works. The Commissioner will be requested to report whether he has settled claims in respect of these 21 works, if not why he did not make payments to the contractor in respect of these 21 works hitherto, when he states that there is no difference of opinion between the contractor and the Municipality in respect of these 21 works.

6) Then the Commissioner refers to the work, bearing item 8 in the contractor's statement. He states that item 8 in the contractor's statement is the same as item No.5 and that it will amount to double claim if it is allowed once again. In respect of this work, the Commissioner should settle the claim of either item No.5 or No.8 instead of allowing the party to approach Govt. on all these small matters.

7) Then the Commissioner refers to item No 11. He states that a final bill has been prepared for this work for Rs 4,514/- as per actual execution of work though the contractor has claimed a sum of Rs.3,514-6-0. Even in respect of this work, the Commissioner should settle the claims immediately

8) The Commissioner then refers to item No 25 and states that he has preferred a lumpsum provision of Rs.5,000/- in excess over the sanctioned estimate of Rs.7,234/- and

Recovery of amounts due from the Contractor Ebrahim Rahmathullapeo in connection with the work done under underground drainage

File No (4) of 195 Mdl 498/948

Mysore Government Secretariat

Serial No

that this excess is not admissible The Commissioner will be instructed to endorse the party accordingly and close the correspondence in respect of this work If the party is aggrieved, let him seek redress in a competent Court.

9) In respect of item No.28, providing sanitary fittings and water connection to the Municipal Office Building, for which the contractor has claimed Rs 12,299-3-6, the contractor has received a sum of Rs 11,000/- as advance for this work Deducting the advance, the contractor claims a sum of Rs 1,299-3-6. The Commissioner will be asked to explain why this amount has not been paid so far

10) Items 29 and 32 pertain to two bills of Rs 170/- and Rs 900/- respectively due to the contractor which are said to be under check-measurement by the Municipal Engineer and it is stated that they will be paid on receipt of the bill from the Municipal Engineer

11) In respect of item No 32(a) and (b) the Commissioner says that the claims are said to be inadmissible. The Commissioner will be instructed to endorse the party accordingly

12) With regard to item No 32(c) the Commissioner reports that there is no work order entrusting the work to him Including this item, the total number of works for which there are no work orders, is 6. The person who is said to have given orders is Sri D Siddappa,

WD 04861—GPB—60 000—22-1 54

Serial No

Suboverseer. He was under suspension for 6 months and the record pertaining to the disciplinary ~~action~~ to be taken against him is still pending In all these matters in which the contractor has done work on the oral orders of the authorities concerned, there are only two courses open to us One is to give him an endorsement straightaway telling him that he may sue in a competent Court of law, the concerned persons who orally told him to carry on the works without giving him written orders. The second is to consult the Municipal Council to know their opinion whether the contractor has to be paid or not, for these works said to have been done by him If the Municipal Council by a resolution agree to make payment, then the works have to be check-measured and bills prepared at the minimum schedule rates then prevailing and make payment to the contractor If they do not agree, then the contractor may be endorsed that he may approach the Civil Court for recovery from the concerned.

(3) From the several records of Davangere Municipality it is seen that there is no limit to such works which are said to have been done by the contractors on the oral orders of the Commissioner or the Engineering staff. ~~If~~ In an order recently issued, 16 works were sanctioned as a special case with severe warnings to the local officers. Now again 6 works are shown as not sanctioned by anybody nor work orders issued It is not known how many more are still to be sanctioned. More than 1½ years are over

Note — Contn Sheet

Recovery of amounts due from the Contractor Rahmathulla & Co for the works done under underground drainage

File No (b) of 195 ML 498 / 948

Mysore Governm Secretariat

Serial No

since the present Commissioner took charge and it would have been better if all such claims were settled early, as delay makes matters still worse However in respect of the works said to have been done by the present contractor, the suggestions given in the above paras may kindly be approved

14) To conclude, the Commissioner will be instructed to settle the claims of the contractor within 15 days positively in respect of works for which there is no difficulty and to submit resolutions of the Council to sanction unsanctioned works and to adjust the advance given to the contractor while passing the bills. If the Cl do not agree to pay the Contractor in Respect of unsanctioned works, the Contractor will have to be endorsed accordingly

15/5

Secy (Dr S)

15) The above note clearly sets out the position, and I agree to the suggestions made therein

16) All these irregularities were committed when Sri Vasir Ahmed was the Commissioner Disciplinary action has been taken against him in respect of some of the irregularities but I am feeling that the action taken

SECRETARY TO GOVT 15 MAY 195

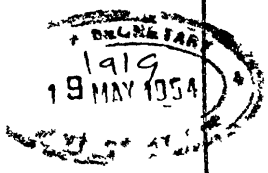
WD 04861—GPB—60 000—22-1 54

Mysore Government
Secretariat

Recovery of amounts due from the Contractor Ebrahim Rahmathulla & Co for the works done under Irrigation Drainage

File No 498/928 of 195 (7) [App F III 2

Serial No

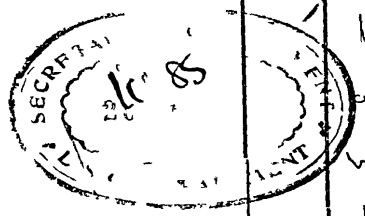


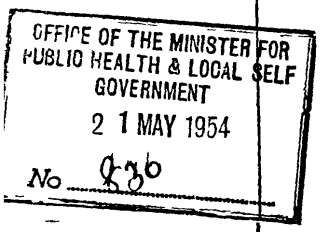
is not in proportion to the offence committed

GVRao
19/5/54

Hon'ble Lby Min
Chief Secy

17 I think charges will have to be framed against Sri Nazeer Ahmed for having asked the contractors to take up these works without the necessary formalities if this is true





L9/5

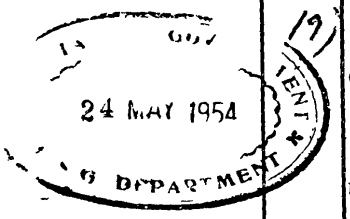
20/5/54

24/5

18 I agree with the L-S G Secy & the Chief Secy Action may be taken as indicated by them

But M/S E Rahmathulla and Co should not be penalised for no fault of theirs The Hl Commr may be asked to pay the amounts due to them on account of the R C C. tank work, and not to set off the amounts against the monies said to be due from them in respect of the works referred to in the notes supra

24/5/54



24/5 Govt

Note — Contn Sheet

Recovery of amounts due from the Contractor — Rahmatulla & Co for the work done (8) 748/141

File No of 195 of the Devanagere Aig | Mysore Government Secretariat

Serial No

20) Regarding Para 18 Supra, the file will be referred to the Chief Secretary for necessary action after answering the points at Para 19 Supra

21) As regards para 19 a draft letter is put up to the M Comm for approval

25/5 — A draft endorsement is also put up to the Chief Secretary for approval thereon.

— For approval & Seen orders

22) Whereas the G.O. dtd 26/5 conveying the order of Govt on paras 2 to 15 thereof is very urgent

31/5/57

23) Submitted with three drafts (1) G.O., 2) letter 3) endorsement)

For approval - 2nd) Done Wday

25/6 5/6

1) The M Comm Devanagere Aig Mys
The Contractor SRD
L 2337-8/C/4 5-7-56-2 Dy 8 6 56
Conveys orders

2) The M Comm Devanagere Aig Mys
L 2359/C/4 5-7-56-3 Dy 8 6 56

3) Endorsement from the Chief Secretary
Rahmatulla & Co
L 2400/C/4 5-7-56-4 Dy 8-6-56

Sig A
15/6
(Returning the amount)

WI/04861—GPR—60,000—22-1 54

9748 2877

Recovery of sum of Rs 10,423-13 c/from M/s Graham Rabindra & Co Davangere Cy-MS

File No (9)

Serial No	
	From The PH Comm Davangere Cy-MS No C.71/52-55 dt 12.7.54 Forwards a copy of the resolution passed in the below dt request — orders re-payment of Contractors bills for R cc Sewerage works after effecting deductions as per the decision of the Council
25	The resolution dated 29.6.1954 of the PH Cc Davangere Cy-is for perusal
	The PH Cc have sanctioned bill bills in respect of items no 1 to 3, 5, 9, 10, 12 to 24, 26 and 27 amounting to Rs 37950/- may not be adjusted towards the advance of Rs 47,000/- due to the MS from Messrs Graham Rabindra & Co They have also sanctioned the irrigation in respect of 22 items which have been noted in para 2 of the P cc D.
26	As regards the claims of the Contractor in respect of the following works, the PH Cc have regretted their inability to take cognisance of these claims of the Contractor in the absence of written orders by any Competent authority to undertake the above works and for

Note — Contn Sheet

Serial No

Nacre of any references in the measurement books or other official records

27) The 1st Commr states that a sum of Rs 9998-7-1 will be due from the Contractor as per the revised figures arrived at as follows —

Total amount advanced to the Contractor	47,000-0-0
Cost of Iron & Cement supplied from Municipal Stores	948-10-1
Total	47948-10-1
Deduct bills payable to the Contractor in respect of 22 bills	37950-3-0
Balance due from the Contractor to the Mg	9998-7-1

28) The 1st C/ have further reserve that the sum of Rs 9998-7-0 being the balance of the advance from M/s Messrs Ebrahim Rahmatullah & Co for drainage works be recovered from the Contractor's bills for RCC tank work as follows:—

1) Cost of materials supplied if any

2) 5/ towards reserve as per agreement entered into with the Contractor

3) 5/ towards adjustment of

2877

(11)

Recovery of a sum of Rs 10423-13-0 from M/s Chouhan Rathnavalla & Co. - Davangere Cy-MS

advance outstandings against the Contractor in respect of underground drainage work entrusted to them

2) About delay he has pleaded that the Claims in respect of the 22 works could not be settled on account of the heavy advances outstandings against the Contractor. He sent Considerable Correspondence, explained the reasons attributed as the irregularities have been pointed out by the - MM Cl, action article taken to settle the matter soon by adjusting the amount towards the - advance due from the Contractor

3) He has forwarded his claims for payment of Contractor's bills for RCC Sand works after effecting deductions as per the decision of the - MM Cl

Submitted for orders
25/8
18/8 16/8

31) With regard to the charges to be framed against Sri Vazeer Ahmad seperate file is opened and action will be taken on that file re the - disciplinary action -

32) The other point for orders is the adjustment of the

C.W.C to Pl discuss as he has not taken action on para 13
1 25/8

Since Action is being taken seperately in file No 3968/MM on para 17 this file is for orders
25/8
When is that file coming up 25/8

Recovery of amounts due from the Contractor - Ebrahim Rahimtulla & Co for the work done in Davangere Co:
1877/M (12)

advance from the Contractor from the Coll of the K C C Bank and for recovering the amount from his bills for the following items

1) Cost of Materials Supplied

2) 5% Retention Reserve as per agreement entered into with the Contractor

3) 5% towards adjustment of advance outstanding against the Contract

33) The above proposals of the Hl Cl may be appd

7/9/54

Minister
L S G

Thro'

Secy Lab'

34) 12/9

35) 20/9/54

SECRETARY TO GOVERNMENT
9 SEP 1954
OFFICE OF THE MINISTER FOR PUBLIC HEALTH & LOCAL SELF GOVERNMENT

2555

2877/RE (13)

Recovery of amounts due from the Contractor Shri Radhakrishna & Co. for the works done in Daman under Rly

---

36) Subdn draft - draft letter for approval

Issue

To

The All Comm Daman Cty Rly

L 8264/C Rly S-7-56-10 Dy 8.8.56

Replies - - ——

(1)

OFFICE OF THE MINISTER FOR PUBLIC HEALTH & LOCAL-SELF GOVERNMENT
6 MAY
No 232

MYSORE COURT FEE TWO RUPEES

To

The Hon'ble Minister for Public Health
Local Self Government,
BANGALORE.

6 MAY 1954
DEPARTMENT
948

Respected Sir,

Sub Our representation No 77/53-54 U.D.W. dated 19-1-1954 to the Government regarding settlement of underground drainage works account with Davangere City Municipality. DAVANGERE CITY.

We beg to bring the following few lines for your kind consideration and favourable orders.

As you know Sir, that our above representation is pending with the Government for orders from a long time, Now the Commissioner of Davangere City Municipality, is recovering the amounts in our bills of R.C.C. Tank works towards the above unsettled due.

We humoly request you Sir, to advise to the Municipality to re-open the above account for final settlement by each ponts and not to recover the sum from the R.C.C.Tank work towards this account, till the final settlement of it.

We hope that this will be considered favourably and facilitate easy payment for the present work, and thus help us to finish the R.C.C. Tank work speedily.

We beg to remian Sir,
Yours faithfully,
for. Ebrahim Rahmtulla & Company.,
Proprietor.

Civil Station,
Bangalore.1.
D/ 30th April,1954.

From -
EBRAHIM RAHMTULIA & Co.,
154/155, Dispensary Road,
Bangalore.1.

No, 8210 PPI 111 Legs Municipal Offices

Encl As P PRI 111 P R 17/53 SR DAVANGERE CITY (2)

From SR Eight + two = 10 Date 15th April, 1954.

(15) Pages 24/4/54

THE MUNICIPAL COMMISSIONER,
City Municipality,
DAVANGERE

To

The Assistant Secretary to the Govt , of Mysore,
L S G and Planning Departments,
Mysore Government Secretariat,
Bangalore

Sir

C M 57-54-1

SUBJECT Recovery of a sum of Rs 10,423-13-0 by the Municipal Commissioner, in connection with the Underground Drainage works

7-5-3/pc

With reference to your letter No L 15607 dated the 25th February 1954, enclosing therewith a petition in original dated 20th January 1954, from Messrs. Ebrahim Hanamtulla and Co , on the above subject, calling for a detailed report in the matter, I write to submit my report as follows -

As stated by the petitioners their letters Nos 34 and 39 addressed to the Commissioner and the President, on 30-7-53 and 16-9-53, respectively, were received in this office I write to state that items noted in the contractors' statements were duly verified with the measurement books and the memo on works of the Executive subordinate who was in charge of the Underground - drainage works The contractors have already been informed in this office letter No P R 11/53-54, dated the 5th June 1953, a copy of which is enclosed for kind perusal of Government, that no references were forthcoming in either the measurement books or other official records for having entrusted these contractors with the execution of the underground drainage works bearing Serial Numbers 4, 6, 7, 30 and 31 referred to in the statement submitted b them to Government with their petition They were informed therei that in the absence of any orders of competent authority ordering the execution of thes e works, that it was not possible to take cognisance of the same nor was it admissible under the codal provisions to take them into account and admit the claims preferred

preferred by them for want of sanctioned estimates, work orders and other requisite authority issuedto thecontractors authorising them to execute the same

As regards other items noted in the statement of the contractors, there is no difference of opinion between the Municipality and the contractors in respect of items, 1, 2, 3, 5, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26 and 27. Item No. 8 in contractor's statement is the same as item No.5 and hence it will amount double claim if it is allowed once again. As regards item No.11 though the contractor has submitted his bill for Rs.3,514- 6-0, the final bill that has been prepared is for Rs.4,514- 6-0 as per actual execution of work. As regards item No 25 the contractor has preferred a lumpsum of Rs ~~5000~~- 5,000/- in excess over the sanctioned estimate of - Rs.7,234/- This is not admissible since he had claimed excess over the sanctioned estimate The final bill in this case has been prepared as per actual execution of the work Item No.28 is for providing Sanitary Fittings and Water connection to the New Municipal office building for which the contractor has claimed - Rs.12,299-3-6 For this work the contractor has received an advance of Rs 11,000/- from this office vide 27 65, 16 7 51 & 9 85, The bill is under preparation and the balance if any will be paid after deducting the advance of Rs 11,000/- due from the contractor. Item No.29 and 32 pertaining to two bills for Rs.170/- and 900/- respectively due to the contractor, which are under check measurement by the Municipal Engineer, ~~and~~ will be paid on receipt of the bills from the Municipal Engineer. The item No.32(a) referred to by the contractor is not payable since he is not entitled for payment, calculated at running foot since he has quoted as per number Item No 32 (b) is for the removal of surplus earth on the spot He was not asked to do so and also it is inadmissible and no such payment has been made to other contractors who have executed the Underground drainage works in this Muni-

(Continued)

this Municipality The contractor is not entitled to his claim vide 32(c) in the absence of work order and sanctioned estimate or other written authority, authorising him to execute the work

With a view to clarify the matter, I submit herewith for kind perusal of Government a reconciliation statement of the claims of the contractor with the Municipal accounts indicating the difference, noting the reasons therefor in the remarks column

I note below for kind information of Government an *abstract of the contractor's accounts for work done in the Municipality in respect of Underground drainage works together with another statement indicating how the figure is arrived.

* ABSTRACT

*Total amount advanced		Rs 47,000	0 0
Deduct amount adjusted on 21-1-53 against the bills prepared by you		Rs 18,866	0 0
Balance		Rs 28,134	0 0
Amount of final bills now submitted including reserve claims -	Rs 18,648-13-0		
Less cost of materials deducted issued from Municipal Stores	Rs 948-10-1		
Net amount to be adjusted towards advance outstanding against you	Rs 17,700-2-11	Rs.17,700	2 11
Net amount due from you to this Municipality	. .	Rs.10,423-13-	1

Forwarded

(B.I Gopala Rao)
PRESIDENT,
CITY MUNICIPAL COUNCIL,
D A V A N G E R E

Yours faithfully,

(K.Narasimhaiengar.)
Municipal Commissioner,
Davangere City Municipality

(5)

No 1 P R 11/53-54

Municipal Offices,
Davangere,
Dated 13th June, 1953

From

The Municipal Commissioner,
City Municipality,
Davangere

To

M/s Ebrahim Ranamtulla & Co,
Engineering Contractors,
Davangere

Sir,

With reference to your letter No 19/53-54 dated 7th June 53 on the subject of the advance of Rs 10,423-13-1, I note that item No 8 of your statement of 9/20 -453 is the same as Item no 22 of this office statement of 7-4-53 Hence there is no necessity to take this into account once again as it is already included

As regards Items Nos 4, 6, and 7 they have been further verified and there are no references regarding them in the measurement books or records You state that these may probably be found in mensurement Book No in B No 74 there is no such measurement book as the measurement book form in the Municipal Account Manual is numbered M B 74 as the letters M A M 74 are found on each of the measurement books in the Engineering office probably you might have been led to believe that A M 74 is the number of the separate measurement Book In fact this is not the case Hence what I have stated in my previous letter No I P R 11/ dated 5th June 53 in respect of these items stands

As regards item No 30, more details regarding the officers or other authority conveying such orders to you to execute the work referred to will be required before considering the question

As regards Item No 31, it is not possible to verify your statement in the absence of the work order given to you, the existence of sanctioned estimate and other relevant records in this office

As regards items No 29 and 32 of your letter I note that you will abide by the instructions of the Municipal Engineer

(6)

As regards Item No 29 (a) your contention to be paid Rft and not by numbers is untenable as the tender called for as per numbers and not by Rft

As regards the removal of the surplus earth on the road, our claim is inadmissible, as you were not called upon to attend to this, in the tender notification and the estimate

As regards Item No 32 (c) at this distance of time in the absence of records supporting your claim your contention does not admit of consideration, at this distance of time

All your accounts have been duly verified by the office of the Municipal Engineering section in accordance with the measurement Books and other records pertaining to the works done by you and duly audited by the Auditor of the State Account Department It will therefore not be possible to re-open the question unless you have got relative work orders and other written instructions issued by the Municipal Engineer, to support any further claims

I xx therefore request you kindly to remit to the Municipality a sum of Rs 10,423-13-1 immediately

I have also received your letter No 21/53-54 dated 19th instant requesting for the refund of tender deposit made on 12-1-1953 this will be looked into separately

Yours faithfully,

(Sd) K Narasimhaiengar
Municipal Commissioner,
Davangere City Municipality

"Copy"

K Narasimhaiengar
(K Narasimhaiengar)
Municipal Commissioner,
Davangere City Municipality

Reg No 77/5352 v DW
dt 19 1 54

(7)

7253

To

No. 2 The Honourable Minister,
Public Health & Local-Self-Government,
Government of Mysore,
Bangalore.

Petitioners

M/s Ebrahim Rahmtulla & Co ,
Commercial Street,
Bangalore

9 FEB 1954
DEPARTMENT

Subject Recovery of Rs 10,423-13-1 by the Municipal Commissioner in correction with the Underground Drainage Works

*** *** ***

Esteemed Sir,

We beg to represent many of the works carried out have not been accounted for and the accounts settled Detail Reports have been submitted to the Commissioner and also to the President of the Davangere Municipality Vide our No 34 of 30-7-1953 and 39 of 16-9-1953 (copies enclosed)

LSG Secy
References
6/2/54

The Commissioner's refusal to measure the remaining works is on the absence of Written Work Orders for different works But we beg to state that the works were done on the express oral orders of the concerned Officers and in one case the Plan marked shows the Deviation which we take as authority for the execution of work and also necessity on the spot

& Rs

It may kindly be viewed that if we had no orders to execute the works from the authorities, we would not risk cutting a road and bring trouble on ourselves from the Municipal Officers as the order to lay the Pipe wa

there though not in writing the Municipality did accept the work

The Report of the subordirate stating - that all the works done by us were measured and that there were no further works remaining to be measured for the check-measurement of the Executive Engineer is not true. and the Commissioner's statement that he would take no further notice on this subject compells us to approach you for redress

Regarding payment of advances - The procedure was to pay advances only up to 80% on the execution of works as such if all the works done is measured there may not remain any advance at - all against us Out of four Bills (item Numbers 4, 5, 6 and 7) were measured, billed and check-measured by the Municipal Engineer, have not been properly looked into and accounted for How the papers concerned and entry of the present measurements omitting some of those recorded and check-measured is to be seen to and irvestigated

Therefore There are so many miscellaneous works done and measurements denied All these will have some repercussion on the R C C Tank work, we are afraid, in its smooth progress

Under these circumstances, we pray detail enquiry and orders

We beg to remain,
Dear Sir,
Yours faithfully,
For Ebrahim Rahmtulla & Co.

Proprietor

Enclosures 1 Copy of B No 39/ of 16 9 53
1 " 34/ " 30 7 53
2 Abstract accounts & Payments to Municipality
1 Statement of Works done - Undisputed Drawings &c
5

Bangalore
20 1 1954

Copy

Ref 77/53 54 U D W
19 / 54

: (9) 3

EBRAHIM RAHMTULLA AND COMPANY

Ref No 39/53-54 U D W

Davangere,
16th September, 1953

To

The President,
City Municipal Council,
Davangere City

Dear Sir,

Ref Subject in Council Meeting to take steps to recover of outstanding against us in connection of under-ground drainage work
---

Regarding the settlement of above accounts, we submitted an application with necessary records, as our No 34/53-54 U D W dated 30th July 1953, for which no reply forthcoming, but to-day we learn that there is a subject in the Council Meeting to take steps to recover the outstanding as per the account of the Municipality

In this connection, we write to state you that we have not at all ceased connection with the City Municipality as to take any steps against us to recover the same As you know full-well you have entrusted us additional R C C Tank Works worth about - Rs 1-2 lakhs After settlement of our claims finally, if we have due to the Municipality, you may recover that amount in the bills with a reasonable way

And also we have stocked a rich stores of materials for the works of under-ground Drainage Scheme You may entrust us any stage of work for the congested area and remit the same For surety of the amount, you got the deposit of Rs 7,715/- the both of R C C Tank and underground Drainage works, tender - deposits, and also we have collected materials about Rs 5 to 6 thousands for the work of R C C Tank

After undergoing all of these facts, if the Municipality take any steps to recover (without any settlement of the sums) the Municipality is liable for the expenses etc , of both side, which please note

Thanking you,

Yours faithfully,
for EBRAHIM RAHMTULLA & CO ,
(Sd) K M Moosa
Manager

Copy forwarded to -

The Commissioner, Davangere
City Municipality

True Copy

Rg 77/53-54 UDW
d 19/54

Copy (10)

EBRAHIM RAHMTULLA & CO ,

No 34/53-54 U D W

DAVANGERE,
Dated 30-7-1953

To

The President,
Davangere City Municipal Council,
Davangere City

Subject Underground Drainage Works
Davangere city

Dear Sir,

We wish to submit the following for your kind consideration

The Municipal Commissioner reported and submitted a Statement on 7-4-1953 of Underground Drainage Works of this place in which we observed many discripencies and omission of Works carried out So, a detail statement was prepared and submitted for scrutiny on 20-4-1953 in our No 34E (7865 G L) and 34 F to the Municipal Commissioner

The Commissioner in reply (No M I P R 11/53-54 of 5-4-1953) pointed out the following -

"Items No 4,6,7,8, 30 and 31 do not find place in the Measurement Book or any reference forthcoming Item No 29, 32 to abide by the instructions of the Municipal Engineer Item No 32 abc--no reference is forthcoming in the office" In the end he said that Rs 10,423-13-1 due from us to the Municipality

We submitted our Explanation in detail in our No 19/53-54 UDW of 7-6-1953 and finally, the Municipal Commissioner accepted item No 8 of our Statement and Item Nos 4,6 & 7 were not accepted as no reference in the measurement Book was made before For all the other details, we submitted our detail Explanation to the Commissioner Vide our No 32/53-54 of 27-7-1953

We met the Commissioner on 29-7-1953 in the office and showed him the Line Deviation Plan signed by the Municipal Engineer regarding item No 32C (copy enclosed) As regards item No 32 B of our Statement, our reference No 34 B of 11-12-1951 wherein we requested instructions regarding the disposal of Surplus earth and the Municipal Engineer No 66/51-52 of 26-2-1952 ordering the removal of surplus earth Such items we represent, have to be met with under unforeseen items, miscellaneous items or under contingency and we requested the Commissioner to refer this to P W D Authority as to the usual procedure

For items 30 and 31, Sewage work done in Kaipet, Mysore Mutt, Hondada Road and leading to Doddapet Sewage Main Line, and Railway Station Man-hole and leading Pipe Line, which are not yet accepted We requested an inspection and decision and regularise the account and adjustment And if this is not possible that we would remove our materials The works are done as per oral orders All these are done in the usual course of inspection of the Officers on the Spot

Once again, we request you to decide about this after your inspection

It

It is not out of place to mention that we hold a large stock of pipe and other drainage work materials - expecting the work to go on in full swing---which materials are lying idle for over 8 or 9 months

We remain, Dear Sir,
Yours faithfully,
for EBRAHIM RAH TULLA & CO
(Sd) K M Moosa
Manager

" True copy

M G S App F G 3

6 copies

(22) (1) C.M.57-54

MYSORE GOVERNMENT
SECRETARIAT

(*Continuation sheet draft form*)

Proceedings of the Govt of Mysore
Read —

Letter no MI PR 17/53-54
Dy 15-4-54 from the MI Commr
Davangere Cty-MCs forwarding
a detailed report re recovery
of a sum of Rs 10,423-13-0
from M/s Ebrahim Rahmatulla
& Co by the MI Cl on account
with the Underground Drainage
works

Order No. 2397-8 Dy 8-6-54

Messrs Ibrahim Rahmatulla
& Co Davangere presented a
petition to Govt on 9-2-54
stating that They had done
several works in Davangere
Cty-MCs and that payments
have not been made to Them
in respect of most of the works

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on the ground that there were no written orders by any Competent authority - They
He further states that he M/I Comm Davangere City - M/S has refused to check-measure the works in the - absence of written work-orders They have
He has enclosed several statements showing the names of works done by Them, the amount which is due to Them in respect of those works. He Contractor further states that the local Authorities had orally told Them to do the works and therefore They undertook the Construction of several works including the underground drainage work that was sanctioned by the M/C The petition was forwarded to the M/I Comm for enquiry and report

2) The M/I Comm states in his letter

(14) 2

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MYSORE GOVERNMENT

SECRETARIAT

———

(*Continuation sheet draft form*)

re Rlship of 15-4-54 read
above letter in respect of 5
works only, pertaining to
underground drainage work,
there are no references in the
measurement book or
other official records to show
that the works were entrusted
to them and that it was not
possible to take cognizance of
the same nor was it admissible
to pay any amount to such
unauthorised works The
M/I Comm also states that he
could not therefore make any
payments in respect of these 5
works bearing SI nos 4, 6, 7
30 & 31 in the Statement (page 7)
3) The M/I Comm, in respect of
items no 1 to 3, 5, 9, 10, 12
to 24, 26 & 27, M/I Comm
states that there is no difference

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5. Differences between the M.S. and the Contractors. It was observed that the Contractors had a real Claim in respect of these Works and that the money has not been paid

4) The M.I. Comm. as requested to settle Claims in respect of these 21 Works and also to report why he does not make payments to the Contractors likewise to

5) That the M.I. Comm. refers to the Work creating Claim 8 in the Contractor's Statement the Notes that Claim 8 in the Contractor's Statement is the same as Claim No 5 and that it will amount to double Claim if it is allowed once again

6) In respect of this work, the M.I. Comm. as requested to settle the Claim of the Claim No 5 or No 8 immediately instead of allowing the party to approach Govt in such matters

In respect of

7) The further refers to Claim No 11 he the Notes that a final bill

(16).

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MYSORE GOVERNMENT
SECRETARIAT

(*Continuation sheet draft form*)

has been prepared for this work for Rs 4514/- as per actual execution of work though the Contractor has Claimed a sum of Rs 3,514-6-0. Even in respect of this work, the Dy Commr Mysore settle the Claims immediately

In respect of

8) ~~the Dy Commr Mysore in respect to~~ item no. 25 and the Dy Commr Mysore-Hassan They have ~~he~~ has prepared a lumpsum provision of Rs 5,000/- on account over the Sanctioned estimate of Rs 7234/- on the ~~that~~ this account is not admissible ~~the Dy Commr~~ the is requested to endorse the party accordingly and close the correspondence in respect of this work if the parties are aggrieved, they may seek redress in a Competent Court of law

WD 0354G—GPB—40 000 —14 8 53

9) In respect of item no 28, providing Sanitary fittings and water connection to the PH Office Building for which the Contractor ~~has~~ have claimed Rs 12,299-36, ~~has~~ They have received a sum of Rs 11,000/- as advance for the work Deducting the advance, the Contractors Claim a sum of Rs 1,299-36

10) The PH Commissioner requested to settle the Claim and also to explain why this amount has not been paid so far

10) Items 29 and 32 pertain to two bills of Rs 170/- and Rs 900/- respectively due to the Contractors which are said to be under Check-measurement by the PH Engineer and it was stated that they will be paid on receipt of the bill from the PH Engineer. This may be done early.

11) In respect of item no 32(a)

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MYSORE GOVERNMENT
SECRETARIAT

(*Continuation sheet draft form*)

and b) the Dy Commr says that the claims are found to be inadmissible. The Dy Commr is requested to endorse the parties accordingly.

12) With regard to item no 32 the Dy Commr reports that there is no work orders entrusted the work to them including to the 5 works mentioned in Para 2, this item, the total number of works for which there are no work orders, is 6

13) The Dy Commr is requested, on his behalf, to consult the Dy CE to know their opinion whether the contractors have to be paid or not, for these works stated to have been done by them. If the Dy CE by a specific resolution agree to make payment, then the works may be check-measured

WD 03546—GPB—10 000 —14 8 53

3. Differences between the M[illegible] and
the Contractors. It was observed
that the Contractors had a real
Claim in respect of these works
and that the money has not been paid
4) The M[illegible] Comm[illegible] requested to settle
Claims in respect of these 21 works
and also to report why he does
not make payments to the Contractors further to
5) That the M[illegible] Comm[illegible] refers to the
work bearing date 8 on the Contractor's
Statement the date then date 8 on
the Contractor's statement as the
same as date no 5 and that
it will amount to double Claim
if it is allowed once again
6) In respect of this work, the M[illegible] Comm[illegible]
requested to settle the Claim of
the date date no 5 or no 8 immediately
instead of allowing the party to approach Court in such matters
~~instead allowing the party~~
In respect of
7) The further refers to date no 11
he states that a final bill

M G S App F G 3

MYSORE GOVERNMENT
SECRETARIAT

(*Continuation sheet draft form*)

has been prepared for this work for Rs 4514/- as per actual execution of work though the Contractor has Claimed a sum of Rs 3,514-6-0. Even in respect of this work, the Dll Commr Mysore settle the Claims immediately

8) In respect of ~~the Dll Commr Mysore Report to~~ item no. 25 and The Dll Commr States that They have ~~he~~ has prepared a lumpsum provision of Rs 5,000/- on account over the Sanctioned estimate of Rs 7234/- and that this excess is not admissible admissible ~~the Dll Commr~~ the is requested to endorse the party accordingly and close the correspondence in respect of this work if the parties are aggrieved, they may seek redress in a Competent Court of law

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and bills prepared at the
minimum Schedule Rates then
prevailing and payments may
be made to the Contractors. If the
M/I Cs do not agree, then the
Contractors may be indorsed to the effect that
They
the may approach the Civil Court
for Recovery from the Concerned
Officers who have given them orders
14) The M/I Comm as required
to settle all such the Claims of the
Contractors as soon as they very early
as delay makes matters still worse
He is also requested to submit
Resolutions of the M/I Cs to sanction
the sanctioned works and referred to above
to duly adjust the advance
given to the Contractors while
passing the bills

Dy

for Secy to Govt
H.D.M.

The M/I Comm Davangere Cs-M/I's and Secons
The Contractors A.D. Blr

R e a d :-

Letter No.M1.P.R.17/53-54 dated the 15th April 1954 from the Munici[pal] Commissioner, Davan[gere] City Municipality, forwardin[g] a detailed report regarding recovery of a sum of Rs.10,423-13-0 from Messrs. Ibrahim Rahamtu[lla] & Co., by the Municipal Council in connection with the Under-ground Drain[age] Works.

ORDER No.L. 2397-8/CM 57-54-2

DATED, BANGALORE, THE 8 JUNE 1954.

Messrs. Ibrahim Rahamatulla & Co., Davangere, presented a petition to Government on 9th February 1954 stating that they had done several works [in] Davangere City Municipality and that payments have not been made to them [in] respect of most of the works on the ground that there were no written orders by any competent authority. They further state that the Municipal Commissioner, Davangere City Municipality, has refused to check-measure the work in the absence of written work orders. They have enclosed several statements showing the names of works done by them, the amount which is due to them in respect of those works. The contractors further state that the local Authorities had orally told them to do the works and therefore they undertook the construction of ~~kk~~ several works including the underground drainage work that was sanctioned by the Municipal Council. The petition was forwarded to the Municipal Commissioner for enquiry and report.

2. The Municipal Commissioner states in his letter of 15th April 1954 read above that in respect of five works only, pertaining to underground drainage work, there are no references either in the measurements book or other official records to show that the works were entrusted to them and that it was not possible to take cognisance of the same nor was it admissible to pay any amount to such unauthorised works. The Municipal Commissioner also states that he could not therefore make any payments in respect of these five works bearing Sl.Nos.~~&~~ 4,6,7,30 & 31 in the statement (page 7.)

3. In respect of items No.1 to 3, 5,9,10,12 to 24, 26 & 27, the Municipal Commissioner states that there is no difference of opinion between the Municipality and the contractors. It is obvious that the contractors had a real claim in respect of these works and that the money

has not been paid.

4. The Municipal Commissioner is requested to settle claims in ref. of these 21 works and also to report why he did not make payments to the contractors hitherto.

5. The Municipal Commissioner states that item 8 in the contractors' statement is the same as item No.5 and that it will amount to double claim if it is allowed once again.

6. In respect of this work, the Municipal Commissioner is requested to settle the claim of either item No.5 or No.8 immediately instead of allowing the party to approach Government in such matters.

7. In respect of item No.11, he states that a final bill has been prepared for this work for Rs.4,514/- as per actual execution of work though the contractors have claimed a sum of Rs.3,514-6-0. Even in respect of this work, the Municipal Commissioner should settle the claims immediately.

8. In respect of item No.25, the Municipal Commissioner states that they have preferred a lumpsum provision of Rs.5,000/- in excess over the sanctioned estimate of Rs.4,234/- and that this excess is not admissible. He is requested to endorse the party accordingly and close the correspondence in respect of this work. If the parties are aggrieved they may seek redress in a competent Court of law.

9. In respect of item No.28, providing sanitary fittings and water connection to the Municipal Office Building for which the contractors have claimed Rs.12,299-3-6, they have received a sum of Rs.11,000/- as advance for this work. Deducting the advance, the contractors claim a sum of Rs.1,299-3-6. The Municipal Commissioner is requested to settle the ~~if~~. ~~Items 29 and 32 pertain to~~ claim and explain why this amount has not been paid so far.

10. Items 29 and 32 pertain to two bills of Rs.170/- and Rs.900/- respectively due to the contractors, which are said to be under check-measurement by the Municipal Engineer and it is stated that they will be paid on receipt of the bill from the Municipal Engineer. This may be done early.

11. In respect of item No 32(a) and (b) the Municipal Commissioner says that the claims are said to be inadmissible. He is requested to

endorse the parties accordingly.

12. With regard to item No.32(c), the Municipal Commissioner reports that there is no work order entrusting the work to them. Including this item to the 5 works noted in para 2, the total number of works for which there are no work orders, is 6.

13. The Municipal Commissioner is requested, in this behalf, to consult the Municipal Council to know their opinion whether the contractors have to be paid or not for these works said to have been done by them. If the Municipal Council by a specific resolution agree to make payment, then the works may be check-measured and bills prepared at the minimum schedule rates then prevailing and payments made to the contractors. If the Municipal Council do not agree, then the contractors may be endorsed to the effect that they may approach the Civil Court for recovery from the concerned officers, who have given them orders.

14. The Municipal Commissioner is requested to settle all such claims of the contractors very early as delay makes matters still worse. He is also requested to submit resolutions of the Municipal Council to sanction unsanctioned works (as per ref. at para 12 above) and to adjust the advance given to the contractors while passing the bills.

(V. Hanumanthappa)
for Secretary to Government,
L & C. & Planning Departments.

To

The Municipal Commissioner, Davangere City Municipality, (with records)
" Controller, State Accounts Department, Bangalore.

LNS.6.8/6.

PROCEEDINGS OF THE GOVERNMENT OF MYSORE

R e a d :-

Letter No.M1.P.L.17/53-54 dated the 15th April 1954 from the Muni Commissioner, Davangere City Municipality, forwarding a detailed repor regarding recovery of a sum of Rs.10,423-13-0 from Messrs. Ibrahim Rahamtu & Co., by the Municipal Council in connection with the Under-ground Drain Works.

ORDER No.L. 239-8/CM 53-54-2

DATED, BANGALORE, THE 8 JUNE 1954.

Messrs. Ibrahim Rahamatulla & Co., Davangere, presented a petition t Government on 9th February 1954 stating, that they had done several works Davangere City Municipality and that payments were not been made to th in respect of most of the works on the ground that there were no written ord by any competent authority. They further state that the Municipal Commis sioner, Davangere City Municipality, has refused to check-measure the wor in the absence of written work orders. They have enclosed several state ments showing the names of works done by them, the amount which is due to them in respect of those works. The contractors further state that the local Authorities had orally told them to do the works and they therefore undertook the construction of the several works including the underground drainage work that was sanctioned by the Municipal Council. The petition was forwarded to the Municipal Commissioner for enquiry and report.

2. The Municipal Commissioner states in his letter of 15th April 1954 read above that in respect of five works only, pertaining to underground drainage work, there are no references either in the measurements book or other official records to show that the works were entrusted to them and that it was not possible to take cognizance of the same nor was it admissible to pay any amount to such unauthorised works. The Municipal Commissioner also states that he could not therefore make any payments in respect of these five works bearing Sl.nos. 4,6,7,30 & 31 in the statement (page 7.)

3. In respect of items No.1 to 3, 5,9,10,12 to 24, 28 & 27, the Municipal Commissioner states that there is no difference of opinion between the Municipality and the contractors. It is obvious that the contractors had a real claim in respect of these works and that the money

has not been paid.

4. The Municipal Commissioner is requested to settle claims in resp of these 21 works and also to report why he did not make payments to th contractors hitherto.

5. The Municipal Commissioner states that item 8 in the contractor's statement is the same as item No.5 and that it will amount to double cl if it is allowed once again.

6. In respect of this work, the Municipal Commissioner is requested to settle the claim of either item No.5 or No.8 immediately instead of allowing the party to approach Government in such matters.

7. In respect of item No.11, he states that a final bill has been prepared for this work for Rs.4,514/- as per actual execution of work though the contractors have claimed a sum of Rs.3,514-6-0. Even in respect of this work, the Municipal Commissioner should settle the claims immediately.

8. In respect of item No.25, the Municipal Commissioner states that they have preferred a lumpsum provision of Rs.5,000/- in excess over the sanctioned estimate of Rs.7,234/- and that this excess is not admissible. He is requested to endorse the party accordingly and close the correspondence in respect of this work. If the parties are aggrieved they may seek redress in a comptent Court of law.

9. In respect of item No.28, providing sanitary fittings and water connection to the Municipal Office Building for which the contractors have claimed Rs.12,299-3-6, they have received a sum of Rs.11,000/- as advance for this work. Deducting the advance, the contractors claim a sum of Rs.1,299-3-6. The Municipal Commissioner is requested to settle the ~~if.~~ ~~Items 29 and 32 pertain to two bills~~ claim and explain why this amount has not been paid so far.

10. Items 29 and 32 pertain to two bills of Rs.170/- and Rs.900/- respectively due to the contractors, which are said to be under check-measurement by the Municipal Engineer and it is stated that they will be paid on receipt of the bill from the Municipal Engineer. This may be done early.

11. In respect of item No.32(a) and (b) the Municipal Commissioner says that the claims are said to be inadmissible. He is requested to

(2) CM 57-54-5 (23)

M G S App F G 3 2 copies

MYSORE GOVERNMENT
SECRETARIAT

(*Continuation sheet draft form*)

Subject Recovery of a sum of Rs 10,423-13 to by the M.I. Comm in Connection with the Underground Drainage works

Do

The M.I. Comm Davangere
c/o M.S.
Kind Attention

Sir,

In continuation of S.O. No L2397-8-CH57-5407-2 dated 8-6-54

I am directed to state that Government on the above subject do not consider it proper that M/S E Rehmathulla & Co should be held responsible for the fault of theirs

Typed two copies

I am therefore to request you to pay the amount due to them on account of the R.C.C. WORK tanks and oblige

WD 03546—GPB—10 000 —14 8 53*

against the amount stated to be due from them in respect of the invoices referred to in your letter under reply

(25)

2399/C M 57-54-3

8 June 1954

The Municipal Commissiorer,
Davangere City Municipality,
(through the President)

Subject - Recovery of a sum of Rs.10,423-13-0 by the Municipal Commissioner in connection with the Under-Ground Drainage Works

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In continuation of Government Order No.L2399-8-EM 57-54-1 dated the 8 th June 1954 on the above subject, I am directed to state that it is not desirable to penalise Messrs. Ebrahim Rahamatulla & Co. for no fault of theirs.

I am therefore to request you to pay the amounts due to them on account of the R.C C tank work and not to set off the amounts against the ~~aforesaid monies~~ said to be due from them in respect of the works referred to in your letter under advertance.

Yours faithfully,

(V.Hanumanthappa)
Asst. Secretary to Government.
L S G & Planning Departm

LNS 2.8/6

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L 2400 / 8-6-54

(3) C M 57-54-L

(26)

MYSORE GOVERNMENT
SECRETARIAT

(*Continuation sheet draft form*)

Endorsement from Ebrahim Rahmatulla & Co 154/155, Dispensary Road, B'lore

4 copies

With reference to their petition dated 6-5-54 presented to the Minister for PH & Labour re settlement of underground drainage works account with Davangere City - M/s Ebrahim Rahmatulla & Co M/s Ebrahim Rahmatulla & Co are hereby informed that the M/s Comm Davangere City - M/s has been requested to pay the amounts due to them on account of RCC lining work etc They are required to approach the M/s Comm Davangere City M/s to Commr for payment of the bills in the matter

L 2401-2 / 8-6-54

By order

WD 03546—GPB—10 000 —14 8 53

Copy to the M/s Comm Davangere City - M/s & the Auditors DD Shm

WMD 16/54

(27)

GOVERNMENT OF MYSORE

No L.2401/LM 57-54-24

Mysore Government Secretariat,
~~General and Revenue~~/Secretariat,
Municipal Branch,
Dated, Bangalore, 8 June 1954

ENDORSEMENT

Granted to

Messrs. Ibrahim Rahamathulla & Co.,
154/155, Dispensary Road,
Bangalore 1.

With reference to their petition dated the 6th May 1954 presented to the Minister for Public Health and Local Self-Government regarding settlement of underground drainage works account with Davangere City Municipality, Messrs. Ibrahim Rahmatulla & Co., are hereby informed that the Municipal Commissioner, Davangere City Municipality, has been requested to pay the amounts due to them on account of R.C.C.Tank work etc. They are requested to approach the Municipal Commissioner, Davangere City Municipality in the matter.

(Sd.)
(V. Hanumanthappa)
Asst. Secretary to Government,
L.S.G. & Planning Departments.

Memo No.L.2401-2/8-6-54

Copy of the above is forwarded to.-

(1) The Municipal Commissioner, Davangere City Municipality, (through the President)
(2) " Controller, State Accounts Department, Bangalore.

(V. Hanumanthappa)
Asst. Secretary to Government,
L.S G. & Planning Departments.

LMS.4.8/6.

No H C 71/54 55

Encl

From

THE MUNICIPAL COMMISSIONER,
City Municipality,
DAVANGERE

To

Municipal Offices
DAVANGERE CITY
Date 12th July 1954

The Secretary to the Government of Mysore,
Local Self Government and Planning Departments,
BANGALORE

Sir

Subject - Recovery of an sum of Rs.10,423-13-0 from - M/S. Ebrahim Rahamathulla and Co , by the - Davangere City Municipal Council in connection with the underground drainage works

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With reference to (1) Government Order No.L 2397-S/CM-57-54-2, dated 8th June 1954 and (2) your letter No 2399 CM-57-54-3, dated 8th June 1954 regarding the subject mentioned above, I write to state as follows -

The above references were placed before the Municipal Council at their general meeting held on 29-6-1954 The Council have gone through these references carefully and have resolved as follows -

That bills in respect of items 1 to 3, 5, 9, 10, 12 to 24 26 and 27 amounting to Rs 37,950/- may be adjusted towards the advance of Rs 47,000/- due to the Municipality from the Contractor and have ratified the following irregularities in respect of 22 items

1) Laying pipe sewer in Mysore Mattaia galli up to Honda behind Doddapet	No work order was issued and no stamp agreement taken
2) Laying pipe sewer in Kaipet conservancy M H 60 to 48	No work order was issued
3) Laying pipe sewer in the Southern side of Kaipet conservancy M H 51 to 36 (sanctioned vide - Municipal Council Resolution No 31-2 (21-3-1951)	Revised estimate which is now sanctioned for Rs 4,96 No stamp agreement taken No work order issued
4) Laying pipe sewer in the conservancy. Eastern side of Thambakp	No work order is issued

P T O.

underground drainage works, have ratified that while paying the contractor's bills for R C C. T...

e)	Laying pipe sewer in Thambakpet from W.F.[illegible] to P4.	Original sanctioned estimate is not traceable. Hence duplicate copy not received. No work order issued.
f)	Laying pipe sewer connecting Mysore Wadia mill by the [illegible] side of Tirakkanada.	Revised estimate for [illegible] is returned. No tenders were called for. No work order issued. Work executed by piece work system. The rates are the same as sanctioned in [illegible] W.C. Parswary, 1 piece. Satisfy
7)	Laying pipe sewer in Tokkalikara pet conservancy.	-do-
8)	Laying pipe sewer in Chowkipet conservancy in the Southern side	-do-
9)	Laying pipe sewer by the cross of the Thambakpet behind Munias Pagappa's house.	-do-
10)	Laying pipe sewer behind Sri. Jade Krishna Rao's House.	-do-
11)	Laying pipe-sewer in Alavarpakalli to connect [illegible] rain in the conservancy of Eastern side of Thambakpet.	-do-
12)	Laying 7" sewer line in Pipe Company Road, W.F.[illegible] to 201.	-do-
13)	Construction of underground sewage line in Pallali Muricarpa and Virakta Pet buildings.	-do-
14)	Laying 10" sewer line in Underbridge road along Railway line.	-do-
15	Laying 7" sewer from W.F. Chowltry up to T.P.Cross.	Estimate for [illegible] sanctioned. No tender, No work executed by piece work. The defects are ratified. Amount already spent is [illegible] in cash. Balance payable now is [illegible].
16)	Laying 9" sewer in Coodiramangy lane in eastern side of Thambakpet connecting W.F. - 261 A to W.F.[illegible].	Estimate sanctioned for [illegible] defects as items No.1 ratified.
17)	Construction of W.F. between W.F.[illegible] to 121 in Thambapet Junction.	Estimate sanctioned for [illegible] and other defects as item No.1 ratified.
18)	Laying pipe sewer line in station road and by the side of clock tower. Sanctioned estimate for [illegible] Municipal Council Regulation [illegible].	No work order is issued.

19)	Laying pipe sewer lane from Islampet junction towards Railway station - from M.H.283 to Railway culvert. Sanctioned estimate for Rs 4,000/- vide Municipal Council resolution No II, dated 11-6-1951	No work order Piece work system.
20)	Laying pipe sewer from Railway culvert up to R.H. Choultry, sanctioned estimate for Rs 4,500/-, Municipal Council resolution No.III, dated 11-6-1951	-do-
21)	Laying pipe sewer line connecting sullage Thirukappana matta junction up to Eastern of M H 123 to M R P road Sanctioned for Rs 4,950/- vide Municipal Council Resolution No V dated 11-6-1951	-do-
22)	Laying pipe sewer line in Thambak pet, from M H 54 to 58 Sanctioned for Rs 4,8[illegible] Municipal Council Resolution No. 31-3, dated 21-3-1931.	No work order

(3) Items 4, 6, 7, 30, 31 and 32(c) referred in Government Orde under advertance were considered by the Council and they have resolved that in the absence of any references in the measurement books or other official records to show that these works were entrusted to the Contractor, they were unable to pass a specific resoluti agreeing to make payment in this behalf

(4) The revised figure i e , Rs 9,998-7-1 or balance due from the Contractor is arrived at as follows -

Total amount advanced to the contractor	Rs 47,000- 0-0
Cost of Iron and Cement supplied from Municipal Stores	Rs 948-10-1
~~Cement supplied from M~~ Total	Rs 47,948-10-1
Deduct bills payable to the contractor in respect of 22 works as detailed above	Rs 37,950- 3-0
Balance due from the contractor to the Municipality	Rs. 9,998- 7-1

(5) The Council have further resolved that as the contractors owe the Municipality the above sum of Rs 9,998-7-1 being the balance of the advance given to them for underground drainage works, ~~have fi-~~ ~~nally ordered~~ that while paying the contractor's bills for R C C. Ta

Tank work due recovery may be made as follows:-

1) Cost of materials supplied, if any.
2) 5 % towards reserve as per agreement entered into with the contractor
3) 5 % towards adjustment of advance outstanding against the contractor in respect of underground drainage work entrusted to him

As regards delay in settlement of the claims of the contractor - write to state that the claims in respect of the 22 works could not be settled on account of the heavy advances outstanding against the contractor regarding which considerable correspondence ensued and ~~since~~ there were several irregularities in the proceedure adopted in respect of the execution of the work which required to be ratified by the Council. Now the irregularities have been ratified by the Council and the bill amounts will be finally adjusted towards the advance due from the contractor.

7 I solicit kind instructions of the Government regarding the payment of contractor's bills for R C C Tank works after effecting deductions as per the decision of the Council referred to above.

8 Copy of the resolution of the Municipal Council referred to above is enclosed herewith for kind perusal and orders

Forwarded,

K Veerabhadrappa

(K.Veerabhadrappa,)
PRESIDENT,
CITY MUNICIPAL COUNCIL,
D A V A N G E R E

Yours Faithfully,

K Narasimhaiengar

(K. Narasimhaiengar,)
Municipal Commissioner,
Davangere City Municipality

SPH 3

Proceedings of the Extraordinary General Meeting of the City Municipal Council, Davangere, held on 29-6-1954 at 4 P M. in the City Municipal Hall, Davangere

President:- Dr , B.I.Gopala Rao, B Sc., B B.B.S.,

X X X

	Subject:-	Resolution-
23	To consider the points observed by Government in their order No I.2397-8/C M 57-54-2 dated 8th June, 1954 regarding the sum of Rs.10,423-13-0 due to the Municipality from M/s Ebrahim Rahamathulla, Contractor	Resolution for 23-24 and 25.
24	Recording the endorsement No L 2400/CM.57-54-2 dated 8th June, 1954 issued by Government to M/s. Ebrahim Rahamathulla, Contractor, directing him to see the Municipal Commissioner, Davangere in connection with the payment of bills in connection with underground drainage work and additional R.C C Tank	The Government Order is read and recorded Bills in respect of items No. 1 to 3 ,5,9, 10,12, to 24 26 and 27 amounting to Rs. 37,950/ may now be adjusted towards the advance of Rs. 47,000, due to the Municipality from the contractor. The following x irregularities are ratified.
25	To consider the pointed observed by Government in their order No. L.2399/CM.57-54-3 dated 8th July June 1954 regarding payment of bill to contractor M/s Ebrahim Rahamathulla in respect of the work of construction of an Additional R.C C Tank without adjusting the sum of Rs 10,423-13-0 due from the said contractor to the Municipality.	

X

	Resolution:-	
(1)	Laying pipe sewer in Mysore Mathada Galli up to Honda behind Doddapet.	No work order was issued and no stamped agreement taken.
(2)	Laying pipe sewer in Kaipet conservancy M.H.60 to 48	No work order was issued
(3)	Laying pipe sewer in the southern side of Kaipet conservancy M H.51 to 36.(Sanctioned vide MI Council Resolution No.31-2 Dated 21-3-51.	Revised estimate which was not sanctioned is now sanctioned for Rs.4,960/- No stamp Agreement taken no work order issued
(4)	Laying pipe sewer in the conservancy eastern side of Thambakpet	No Work order issued
(5)	Laying pipe sewer in Thambakpet from M.H.36 to 54.	Original sanctioned estimate is not traceable Hence duplicate copy furnished. No work order issued.
(6)	Laying pipe sewer connecting Mysore Matada galli by the side of Viraktamata	Revised estimate for Rs.4,230-8-0 is now sanctioned No tenders were called for. No, work order issued. Work executed by piece work system The rates are the same as sanctioned to Sriyuts H C.Ramaswamy and Basappa Basappa.

(7)	Laying pipe sewer in Vokkaligarapet conservancy	Revis is not sanctioned.No tenders we called for. No work order issue Work executed by piece work sys The rates are the same as sanct ioned to Sriyuts H.C Ramaswamy Basappa.
(8)	Laying pipe sewer in Chowkipet conservancy on the southern side.	-do- -do-
(9)	Laying pipe sewer by the cross of Thambakpet behind Mundas Nagappa's House.	-do- -do-
(10)	Laying pipe sewer behind Sri Jade Krishna Rao's house	-do- -do-
(11)	Laying pipe sewer in Adavappana galli to connect 9" main in the conservancy of Eastern side of Thambakpet	-do- -do-
(12)	Laying 7" sewer line in Binny Co., road M.H.288 to 291.	-do- -do-
(13)	Construction of underground sewage line in Belludi Murigappa and Virakta Mutt Buildings	-do- -do-
(14)	Laying 12" Sewer line in under brid road along Railway line	-do- -do-
(15)	Laying 7" sewer from R.H.Choultry up to T.B.Cross	Estimate for Rs.4,340/- is sancti No tender. No work order Work completed by piece work The dei cts are ratified. Amount already paid is Rs.3,900/- in cash. Balan payable now is Rs.436-6-0
(16)	Laying 9" sewer in conservancy lane on eastern side of Thambakpet connecting M.H.261A to M H.58.	Estimate sanctioned for Rs.2,300/ Defects as in item No.15 ratifie
(17)	Construction of Manhole between M.H.58 to 121 in Doddapet junction	Estimate sanctioned for Rs.250/- and other defects as item No 15 ratified
(18)	Laying pipe sewer lane in Station road and by the side of Clock - tower Sanctioned estimate for Rs 4,500/- vide Ml. council Reso- lution No.31-1 Dated 21-3-1951	No work order is issued
(19)	Laying pipe sewer lane from Islam pet junction towards Railway Station from M.H 288 to Railway culvert. Sanctioned estimate for Rs.4,000/- vide Ml. council Reso- lution No.11 dated 11-6-1951.	No work order issued. Work executed on piece work system
(20)	Laying pipe sewer from Railway culvert up to R.H Choultry San- ctioned estimate for Rs.4500/- vide Ml. council Resolution No.111 Dated 11-6-1951.	-do- -do-

21)	Laying pipe sewer line connecting sullage, Thirukappana Matta junction up to eastern of M.H.123 to M R.P.road Estimate sanctioned for Rs.4,950/- vide Municipal council resolution No.V dated 11-6-1951	No work order Work executed on piece w system.
(22)	Laying pipe sewer line in Thambakpet from M.H.54 to 58 Estimate sanctioned for Rs.4,880/- vide Municipal council resolution No. 31-3- dated 21-3-1954.	No work order.
	Total amount advanced	Rs.47,000- 0-0
	Cost of iron and cement supplied from the Municipal Store	948-10-1
	Total	47,948-10-1
	Deduct Bills payable to the contractor.	37,950- 3-0
	Balance due from the contractor.	9,998- 7-1

The claims of the contractors in respect of the following works:-

1.	Laying sewer line from Islampet to M.H. Thambakpet.	Rs.4,015- 8-0
2.	Laying sewer line in Kaipet line(inside of Mysore Mutt.)	3,862- 8-0
3.	Laying sewer line in Mysore Mutt eastern to Doddapet	3,731- 4-0
4.	Sullage connected to drain by 4" S.W.Line near Railway Station.	40- 0-0
5.	Laying sewer line in Doddapet connecting M.H.58 to 60.	2,250- 0-0
6.	As requested by Municipal Engineer the excavated tract is changed near Municipal Building L.S.	100- 0-0

were considered by the council at their meeting held today as desired in G.O.No.L 2397-8/GM.53-54-2 dated 8-6-1954. In the absence of written orders by any competent authority to undertake the above works and for lack of any references in the measurement books or other official recrods to show that the works were entrusted to them, the Council regret their inability to take cognisance of the above claims of the contractor.

As the contractors owe the Municipality a sum of Rs 9,998-7-1 advanced to them for underground drainage works, the council have resolved that 5% of the bill amount for R.C.C.Tank work may be deducted from each bill of the contractors towards adjustment of the outstanding advance and the balance still outstading could be -

(35)

- 4 -

~~outstanding could~~ be recovered from the final bill of the contra
ctors for R. C. C. Tank Work

While paying the contractors bill for R. C. C. Tank work due recovery may be made as follows

1. Cost of materials supplied.
2. 5% towards reserve as per codal rules.
3. 5% towards advance outstanding against the ~~war~~ contractor for underground drainage work entrusted to him.

Sd/- B. I. Gopala Rao,

President,
City Municipal Council,

" Extract"

K Narasimhaiengar

(K. Narasimhaiengar.)
Municipal Commissioner,
Davangere City Municipality

Subject - Recovery of a sum of Rs 7,1/10
10423-13-0 from M/s. Ebrahim
Rehoma Hulla & Co by the
Davangere Adj-Dtl-C on Connection
with the condemn[illegible] drainage
works.

3 copies

2. L-8264/C on 57-54-10
8-10-54

The Dtl Comm Davangere Adj-Dtl
(thro the Mech)

Sir.

With reference, to ~~the Correspondence~~ your letter
no HC 71/SW-55 dt 12.7.54 on the
above subject seeking instructions regarding
the payment of Contractor's bills
for RCC Tank works Dam
Anicut to State - that the balance
of the advance given to M/s
Ebrahim Rehomahulla & Co for
drainage works may be recovered
from the Contractor's bills for
RCC Tank works for the following
items, as recommended by you
1) Cost of materials supplied
to S/ towards reserve as per

(3)

agreement entered into with the Contractor

3) 5/- Towards adjustments of advance
installments against the Contractor in
respect of underground damage work
entrusted to him

2 8265

Copy of the Contractor's letter in reference

1/10/52

(28)

L 8264 | CM 57-54-10 8 October 1954

The Municipal Commissioner,
Davangere City Municipality,
(through the President)

Subject - Recovery of a sum of Rs 10,423-13-0 from Messrs Ebrahim Pahamathulla & Co, by the Davangere City Municipal Council in connection with the underground drainage works

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With reference to your letter No M C 71/54-55 dated the 12th July 1954 on the above subject seeking instructions regarding the payment of contractor's bills for R C C Tank works, I am directed to state that the balance of the advance given to Messrs Ebrahim Pahamathulla & Co, for drainage works, may be recovered from the contractors' bills for R C C Tank works for the following items, as recommended by you -

1) Cost of materials supplied

2) 5% towards reserve as per agreement entered into with the contractor

3) 5% towards adjustment of advance outstanding against the contractor in respect of under-ground drainage work entrusted to him

Yours faithfully,

(Sd)
(V Hanumanthappa)
Asst Secretary to Government,
L.S.G & Planning Departments

Memo No L 8265

Copy of the above is forwarded to the Controller, State Accounts Department, Bangalore, for information

(V Hanumanthappa)
Asst Secretary to Government,
L S G & Planning Departments

App F IX 4

Previous References

1954-55
(C M)

File No 57-54-
Serial Nos 1, 2, 3, 4
9, 10

Later References
M 97-54-9, 10, 14, 15
A+9 & Cr 57

GENERAL AND REVENUE SECRETARIAT

Serial Nos SIX

P-32
E

Part B for October 1954

SUBJECT

Recovery of amounts due from the Contractor, Messrs Ebrahim Rahmathulla and Co, for the works done in Davanagere City Municipality

WD 0148—GPB—25 000—1-9 19 2

The Municipal Commissioner
Davanagere city Municipality
L 8264/ dated 8.10.54

Replies

Ramakrishnaiah
T.I 30/11/54